

#26

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

J. J. RICHARDSON et al.

Serial No. 09/432,498

Art Unit: 2643

Filed: November 2, 1999

Examiner: M. Ramakarishnaiah

For: SENSING DEVICE FOR MONITORING CONDITIONS AT A REMOTE
LOCATION AND METHOD THEREFOR

PETITION UNDER 37 CFR 1.313(c)(1)
TO WITHDRAW THE APPLICATION FROM ISSUE

Commissioner for Patents
Washington, D.C. 20231

Sir:

1. Applicants petition that the Application be withdrawn from Issue.
2. The Reason for Withdrawal is that claims 2-62, 64-71 and 79-80 are not patentably in this application. A further explanation of the facts of this situation follows below.
3. An amendment canceling claims 2-62, 64-71 and 79-80 is being filed concurrently with this petition.
4. The Base Issue Fee was paid on January 6, 2003.
5. Petition Fee (37 CFR 1.17(h)):
Please charge our Deposit Account No. 07-2100 for the fee of \$130.00.

FACTS OF THIS SITUATION:

As filed, this application included Figures 1-5, 6A, 6B, 6C, and 7. As part of his first Office action the examiner included an objection to the drawings that several of the claims were not supported by these original drawings.

As part of the response to the examiner's first Office action, two letters were submitted to the Draftsman. The first of these letters to the Draftsman was amendatory to the figures which were already present. The changes to these drawings added no new matter.

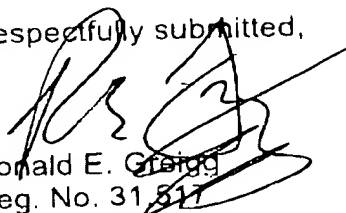
The second letter to the Draftsman added new figures 3A-1, 3A-2, 3B-1, 3B-2 and 3B-3. These added figures are in the form of circuit diagrams. The issue of new matter has never been raised, and eventually the application proceeded to issue with these figures included in the application.

Upon review it has been determined that each of figures 3A-1, 3A-2, 3B-1, 3B-2 and 3B-3 includes new matter, and that claims 2-62, 64-71 and 79-80 include recitations which depend upon these figures for support.

Accordingly, these claims are being canceled from this application by an amendment filed concurrently herewith.

A duplicate of this petition is attached.

Respectfully submitted,



Ronald E. Greigg
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Date: February 13, 2003

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09/432,498
RICHARDSON et al

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J. J. RICHARDSON et al.

Serial No. 09/432,498

Art Unit: 2643

Filed: November 2, 1999

Examiner: M. Ramakarishnaiah

For: SENSING DEVICE MONITORING CONDITIONS AT A REMOTE
LOCATION AND METHOD THEREFOR

LETTER TO THE OFFICIAL DRAFTSMAN

Commissioner of Patents
Washington, D.C. 20231

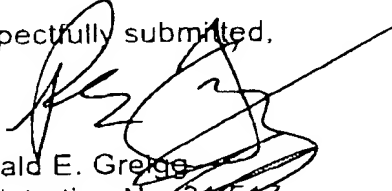
Sir:

Please cancel from this application the drawings 3A-1, 3A-2, 3B-1, 3B-2 and 3B-3, all of which were submitted in a letter to the draftsman dated July 9, 2001, and submitted as formal drawings on December 30, 2002.

Figures 1, 2, 3, 4, 5, 6A, 6B, 6c and 7 should remain in the application.

Reconsideration and allowance of the application is courteously solicited.

Respectfully submitted,


Ronald E. Greigg
Registration No. 314517
Customer No. 02119
Attorney for Applicants

Dated: February 13, 2003

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PLEASE PROVIDE A STAMPED RECEIPT FOR THE
FOLLOWING:

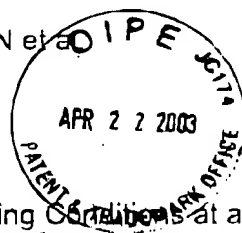
APPLICANT: J. J. RICHARDSON et al

SERIAL NO. 09/432,498

FILED: November 2, 1999

FOR: Sensing Device for Monitoring Conditions at a
Remote Location and Method Therefor

ENCLOSED: Clarification of the Amendment
accompanying the Petition filed February 13, 2003



REG/hhl

April 22, 2003

#67



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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Paper No.

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FEB 19 2003

OFFICE OF PETITIONS.

In re Application of
J. J. Richardson et al
Application No. 09/432,498
Filed: November 2, 1999
Attorney Docket No. NA

RECEIVED
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ON PETITION

This is a decision on the petition, filed February 13, 2003, under 37 CFR 1.313(c)(1) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue due to unpatentability of one or more claims. See 37 CFR 1.313(c)(1).

The application is hereby withdrawn from issue.

Telephone inquiries should be directed to the undersigned at (703) 305-8859.

After receipt of the file in the Office of Petitions, the application will be forwarded to Technology Center Art Unit 2643.

Karen Creasy

Karen Creasy
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy